

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, June 29, 2006, at 6:30 P.M.**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 05-21A (Text amendment to permit pet grooming, pet shops, veterinary hospitals, and animal shelters as special exception uses within the C-2, C-3, C-4, C-M, and M Zone Districts.)

THIS CASE IS OF INTEREST TO ALL ANCs

On December 2, 2005, the Office of Planning, on behalf of the District of Columbia, petitioned, through a set down report, for amendments to the Zoning Regulations to define and permit pet grooming, pet shops, veterinary hospitals, and animal shelters as special exception uses within the C-2, C-3, C-4, C-M, and M Zone Districts. Pet shops and veterinary hospitals are currently permitted as matter of right uses in these Zone Districts, but no use classification exists in the Zoning Regulations for pet grooming or animal shelters. The Zoning Commission set down the case for public hearing at its meeting of January 9, 2006. The Office of Planning set down report also served as the pre-hearing statement for this case.

Title 11 DCMR (Zoning) is proposed to be amended as follows:

- A. Chapter 1, THE ZONING REGULATIONS, § 199.1, is amended by adding the following new definitions:

Animal shelter- Any premises that houses and feeds stray or abandoned animals without a fee, and is operated by a non-profit organization or governmental agency.

Pet grooming establishment- An establishment, which, for a fee, trims, cleans or curries (the combing of the hair or coat with a currycomb) domestic pets, such as dogs and cats. A pet grooming establishment is considered an animal boarding use if more than ten animals are on the premises at a time, or the overnight stay of animals is permitted.

Pet shop- A store for the sale of dogs, cats, birds, tropical fish and/or other domesticated pets, and related supplies and equipment.

Veterinary hospital- An establishment used by a licensed veterinarian for the practice of veterinary medicine, and not as an animal boarding establishment, but which may also provide overnight care for animals.

B. Chapter 6, MIXED USE DISTRICTS, § 602.1 (a) is amended to read as follows:

602.1 The following uses shall be specifically prohibited in CR Districts:

(a) Veterinary hospital;

C. Chapter 7, COMMERCIAL DISTRICTS, is amended as follows:

1. Section 721, Uses as a Matter of Right C-2, is amended by striking subparagraphs 721.2 (x) and 721.3 (p).
2. By adding new §§ 737 through 740 to read as follows:

737 PET GROOMING

737.1 A pet grooming establishment may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section.

737.2 The pet grooming establishment shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste.

737.3 The pet grooming establishment shall not abut an existing residential use, or Residence Zone.

737.4 External yards or other external facilities for the keeping of animals shall not be permitted.

737.5 The sale of pet supplies is permitted as an accessory use.

738 PET SHOP

738.1 A pet shop may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section.

738.2 The pet shop shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste.

738.3 The pet shop shall not abut an existing residential use, or a Residence Zone.

738.4 External yards or other external facilities for the keeping of animals shall not be permitted.

739 VETERINARY HOSPITAL

739.1 A veterinary hospital may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section.

739.2 The veterinary hospital shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste.

739.3 The veterinary hospital shall not abut an existing residential use, or a Residence Zone.

739.4 External yards or other external facilities for the keeping of animals shall not be permitted.

739.5 Pet grooming, the sale of pet supplies, and incidental boarding of animals as necessary for convalescence, are permitted as accessory uses.

740 ANIMAL SHELTER

740.1 An animal shelter may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section.

740.2 The animal shelter shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste.

740.3 The animal shelter shall not abut an existing residential use, or a Residence Zone.

740.4 External yards or other external facilities for the keeping of animals shall not be permitted unless the entire yard or facility is located a minimum of 1,000 feet from all Residence Zone Districts.

740.5 Animal shelters shall not engage in boarding or grooming of animals that are sheltered for a fee.

D. Chapter 8, INDUSTRIAL DISTRICTS, is amended by adding new §§ 802.25 through 802.28 to read as follows:

802.25 A pet grooming establishment may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this subsection.

- a. The pet grooming establishment shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste;
- b. The pet grooming establishment shall not abut an existing residential use, or a Residence Zone;
- c. External yards or other external facilities for the keeping of animals shall not be permitted; and
- d. The sale of pet supplies is permitted as an accessory use.

802.26 A pet shop may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this subsection.

- a. The pet shop shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste;
- b. The pet shop shall not abut an existing residential use, or a Residence Zone; and
- c. External yards or other external facilities for the keeping of animals shall not be permitted.

802.27 A veterinary hospital may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this subsection.

- a. The veterinary hospital shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste;
- b. The veterinary hospital shall not abut an existing residential use, or a Residence Zone;

- c. External yards or other external facilities for the keeping of animals shall not be permitted; and
- d. Pet grooming, the sale of pet supplies, and incidental boarding of animals as necessary for convalescence, are permitted as accessory uses.

802.28 An animal shelter may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section.

- a. The animal shelter shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste;
- b. The animal shelter shall not abut an existing residential use, or a Residence Zone;
- c. External yards or other external facilities for the keeping of animals shall not be permitted unless located a minimum of 1,000 feet from a Residence Zone in its entirety; and
- d. The animal shelter shall not engage in boarding or grooming of animals that are sheltered for a fee.

- E. Chapter 9, WATERFRONT DISTRICTS, subsection 902.1(a) is amended to read as follows:

902.1 The following uses are prohibited in Waterfront Districts:

- (a) Veterinary hospital;

- F. The table included in § 2101.1, SCHEDULE OF REQUIREMENTS FOR PARKING SPACES is amended by striking the use “Office- Medical and dental, clinic, veterinary doctor-or veterinary hospital” and inserting the use “Office- Medical and dental, clinic, or veterinary hospital” in its place.

- G. Chapter 31, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended by adding to the table of special exceptions in §3104.1, in the proper alphabetical order, the following new entry:

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TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
Animal shelter	Any C-2, C-3, C-4 or M District	§§ 740 and 802.28
Pet grooming establishment	Any C-2, C-3, C-4 or M District	§§ 737 and 802.25
Pet shop	Any C-2, C-3, C-4 or M District	§§ 738 and 802.26
Veterinary hospital	Any C-2, C-3, C-4 or M District	§§ 739 and 802.27

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 *et seq.*).

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. The Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, GREGORY N. JEFFRIES, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, ACTING SECRETARY TO THE ZONING COMMISSION.